

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARREN JOSEPH ARNOLD : CIVIL ACTION
: :
: v. :
: :
FRANK GREEN, ET AL. : NO. 10-5090

ORDER

AND NOW, this 11th day of October, 2011, upon consideration of Defendants Dr. Ronald Phillips and Dr. Carl Pierce's Motion to Dismiss (Docket No. 22), Defendant Contract Pharmacy Services's Motion to Dismiss (Docket No. 24), the Motion to Dismiss filed by Defendants Frank Green, Emmanuel Asante, Michael J. Maher, Susan Kendra, Linda Maher, Joanne Abt, Correctional Officer Ernest Pressley, Peggy Rosser, Justin Wood, James Schaum, Sergeant Kendall, Sergeant Jones, Charles Csicsek, and Yaw Kissi (Docket No. 27), Defendant Robert Simon's Motion to Dismiss (Docket No. 32), and all documents filled in connection therewith, and having also screened Plaintiff's Second Amended Complaint pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A, **IT IS HEREBY ORDERED** that, for the reasons stated in the accompanying Memorandum, the Motions are **GRANTED** and Plaintiff's claims are dismissed pursuant to Fed. R. Civ. P. 12(b)(6) and 28 U.S.C. §§ 1915(e)(2) and 1915A as follows:

1. All claims against Defendants Frank Green, Emmanuel Asante, Sergeant Kendall, Joanne Abt, Correctional Officer Roselothan, Correctional Officer Osilen, Dr. Lauren, and Nurse Oliver are **DISMISSED WITH PREJUDICE** and those Defendants are **DISMISSED** as Defendants in this action.
2. Plaintiff's medical care claims, sexual harassment claims, claims regarding the opening and reading of his legal mail, and denial of access to the courts claim are

DISMISSED WITHOUT PREJUDICE to their amendment and reassertion in a Third Amended Complaint.

3. Plaintiff may file a Third Amended Complaint on or before November 14, 2011. In drafting a Third Amended Complaint, Plaintiff is instructed to carefully consider the pleading standards set forth in the accompanying Memorandum and to assert only those claims that he believes will comply with those standards.

BY THE COURT:

/s/ John R. Padova, J.

John R. Padova, J.